

April 13, 2016

Continuation of the April 7, 2016 Meeting of the City Council

Fire Station II – 632 Sugarloaf Road

6:00 p.m.

Present: Mayor Barbara G. Volk, Mayor Pro Tem Steve Caraker and Council Members: Ron Stephens, Jerry Smith and Jeff Miller

Staff Present: City Manager John F. Connet, City Attorney Sam Fritschner, City Clerk Tammie Drake, Assistant to the Manager Brian Pahle, Fire Chief Joseph Vindigni, Public Works Director Tom Wooten

1. Call to Order: Mayor Volk called the meeting to order at 6:20 p.m. and welcomed those in attendance. A quorum was established with all five members in attendance.

2. Presentation of Adopt-A-Park/Trail and Adopt-A-Street Policy/Program: Mr. Wooten addressed the Council and explained he was contacted by Eva Sainsbury, a senior at Hendersonville High School, regarding organizing a litter pickup program as her senior project. He stated the project has evolved into an Adopt-A-Park/Trail and Adopt-A-Street program whereby citizens may get involved in the removal of litter from our parks, trails and streets on a monthly basis. He proposed an initial fee of \$300 for business groups to assist in covering the cost of the signage identifying beginning and ending points. He proposed a renewal fee of \$50 for the business groups. The fees will be waived for non-profits, homeowners associations, etc.

Ms. Eva Sainsbury presented the draft policy for Council’s consideration and explained the program. These programs will allow for a cleaner, more beautiful Hendersonville. Adopt-A-Park/Trail allows citizens to take responsibility for our local parks. Adopt-A-Street allows citizens to take responsibility for any section of road. By taking responsibility, citizens are agreeing to pick up litter at least once a month. She explained as part of the City's National Pollutant Discharge Elimination System (NPDES) Stormwater Permit, Hendersonville is responsible for improving the water quality in area streams and waterways. By approving these programs, people can pick up the trash and debris before it reaches our waterways, thereby benefiting the City and helping to fulfill its permit obligations. The City will provide trash bags and gloves, vests, etc. to the volunteers.

Discussion from the Council included: signage, trash pickup after collection, allowing flexibility in the length, i.e., entire length of street versus one mile, etc.

Council Member Smith moved to approve the policy establishing an Adopt-a-Street/Park/Trail litter removal program. A unanimous vote of the Council followed. Motion carried.

CITY OF HENDERSONVILLE

ADOPT-A-STREET/PARK/TRAIL PROGRAM

POLICIES AND PROCEDURES

I. Policy

- A. The City has a direct interest in reducing litter on our street frontages, in our parks, and along our trails. This can be accomplished by litter clean up and by encouraging the general public to dispose of litter properly. The City's Adopt-A-Street/Park/Trail program assists in both ways.
- B. The program encourages organizations to pick up litter and pull/cut weeds on a specific length of roadway frontage, a park, or a specific length of trail. Appropriate signs calling attention to the litter control effort and crediting the volunteer or sponsor organization for its work are furnished and installed by the City.

II. Eligibility

- A. Individuals, private corporations and non-profit organizations may participate. The organization or group of individuals will be allowed to pick up litter on designated sections of roadway frontage, in parks, and along a designated section of a trail, subject to the rules and conditions specified in Section III.
- B. Non-profit organizations affiliated with for-profit organizations, as well as for-profit organizations, are also welcome in this program.

III. Rules and Conditions

- A. The length of street frontage should be a minimum of one mile (or full length of street if it is less than one mile) of adjacent, connected or adjoining City streets and should not exceed two miles. Only street frontages designated by the City will serve as acceptable clean up areas. The length of trail should be approximately one mile. Most parks are available for adoption. See Appendix D for the designated areas and locations. Safety of Adopt-A-Street/Park/Trail workers are a prime consideration.
- B. No permits will be granted when site conditions are unsuitable for your group's age level.
- C. No individuals younger than 12 years of age may participate or be permitted in the right-of-way for any reason. The group shall provide adequate supervision (i.e., at least one adult, 21 years of age or older for every ten members under the age of 21 years.)
- D. The City will furnish, install and maintain the signs. The City reserves the right to edit the wording of the sign and has final approval of the sign. If the sign has to be replaced due to vandalism, the organization may be required to pay for its replacement. Allow approximately one month for sign placement/replacement.
- E. The City will supply litter bags and remove and dispose of filled bags. Recycling is encouraged and must be kept separate from the litter (trash). It is the coordinator's responsibility to notify the City that the work has been completed and the bags are ready to be collected. The coordinator must identify the location of all of the bags that are to be collected.

- F. The City will provide safety vests which are to be worn by all workers when working on the street frontage, in a park, or along a trail. Vests belonging to the City need to be returned to the City's Public Works Department within 5 days after each use.
 - G. Participating volunteer organizations will appoint a coordinator from its membership to oversee and coordinate pickup events and work events.
 - H. The coordinators and all supervisors must complete a safety course given by a City of Hendersonville Public Works Department representative on-site or in an office before the first litter pickup or other work. The coordinator must provide the safety course to all new workers before each subsequent litter pickup or other event. All workers should be encouraged to attend the safety course provided by the City of Hendersonville.
 - I. The coordinators and supervisors must read and comply with the safety requirements provided by the City of Hendersonville Public Works Department. All workers should be encouraged to read the safety requirements and follow the directions of the appointed supervisor.
 - J. All workers will be instructed in safety precautions by their supervisor prior to each litter pickup or work event.
 - K. All workers will at all times adhere to the safety requirements within this policy, the waiver, and all oral safety instructions.
 - L. The participating organization will be required to pick up litter and/or pull/cut weeds/vines a minimum of four times a year (or ideally once a month) to keep its area relatively clean based on the evaluation by the City.
 - M. Participating organizations must coordinate their pick up schedules with the City to prevent conflicts over the use of the street frontage, parks, or trails and proposed construction work. Two weeks notice prior to a scheduled pick up event is required. Please contact the City of Hendersonville Public Work Department contact person to coordinate the pick-up event schedule. See Appendix C for the City of Hendersonville Public Works Department List of Contacts.
 - N. A liability insurance certificate will not be required when the litter removal work is performed by volunteers.
 - O. The coordinator or supervisor shall ensure that each participant signs an individual waiver (Appendix A) prior to each pick up event or work event.
 - P. The agreement between the organization and the City shall be effective for two years and is renewable, at the City's discretion, if the volunteer organization has maintained its obligation to the satisfaction of the City. If the organization has failed to fulfill its commitment, the City may assign the area to a new volunteer group.
 - Q. Volunteers are encouraged to wear protective eye wear and proper clothing. These items will not be provided by the City. If working within the right of way, volunteers shall work as a group and face oncoming traffic at all times. Do not cross the roadway unnecessarily and cross only at intersections.
 - R. The City may not go onto private property to collect trash or perform other work.
 - S. The City of Hendersonville may impose additional conditions as needed.
- IV. Procedures

- A. Interested organizations shall contact the City of Hendersonville's Public Works Department contact person. See Appendix C for the City of Hendersonville Public Works Department List of Contacts.
 - B. City of Hendersonville's contact person will explain and discuss the City's program with a responsible representative of the interested organizations, emphasizing that the program involves significant physical work that must be done safely on a reasonable frequency for at least two years.
 - C. An agreement must be completed by the volunteer organization and approved by the City.
 - D. Each participant will submit a signed individual waiver (Appendix A) prior to each pick up event.
 - E. Volunteer organization will appoint its coordinator.
 - F. City personnel will arrange for the fabrication and installation of signs.
 - G. Volunteer organization will call the City of Hendersonville's Public Works Department's contact person to schedule litter pickup dates or work event dates at least two weeks before the proposed pick up date.
 - H. The coordinator will call the City of Hendersonville Public Works Department to request issuance of safety vests and litter bags no later than 48 hours before each scheduled pick up date.
 - I. City personnel will arrange for litter pick up dates and for pick-up of filled litter bags.
 - J. City of Hendersonville Public Works Department representative will provide a safety course for the Adopt-A-Street/Park/Trail coordinators and supervisors before the first litter pick-up work.
 - K. Each participant will sign the sign-in form waiver on-site before starting the litter pickup work. Coordinators will complete and return to the City of Hendersonville Public Works Department contact person the Sign-in and Activity Reporting Form within 3 business days following the litter pickup event. See Appendix B.
 - L. Coordinators will return the safety vests belonging to the City within 5 days following the litter pickup event.
- Adopted by the City Council on the thirteenth day of April, 2016.

/s/Barbara G. Volk, Mayor

Attest: /s/Tammie K. Drake, City Clerk

3. Fire Inspection Fees: The Council heard a presentation by Fire Chief Joseph Vindigni about enhancing the current fire inspection program to provide better service to City citizens. He explained NCGS 160A-411 requires cities to conduct fire inspections "to preserve and protect public health and safety" and to have a periodic inspection schedule which identifies activities and conditions in buildings to ensure safe work places. The North Carolina Fire Code requires inspections of all occupancies or businesses within the City with the exception of farm buildings and one- or two-family dwellings.

Fire Chief Vindigni provided examples of cities and/or counties that charge fees association with fire inspections. He stated this is common throughout North Carolina and other states.

Fire Chief Vindigni provided the statistics for inspections/re-inspections from 2014 to date. The Deputy Fire Marshal also reviews ABC Permits, new business licenses, final COs, and conducts prevention and education sessions. He discussed re-inspections and stated the City is inspecting businesses on a five to six-year schedule because there is only one inspector. He stated their call volume has increased.

Fire Chief Vindigni reviewed the benefits of an annual fire inspection program including: correcting fire code violations that pose life safety risks to residents and firefighters responding, contact information is updated, a thorough and in-depth inspection is done on the business and the owner educated on how to properly address fire code related issues and violations and when risks are reduced, the community avoids increases in insurance, loss of tax revenue (property and sales tax) when a business is destroyed, and loss of employment. He reported the

City no longer has the authority to levy a business license tax (a recurring revenue loss of \$386,000 annually). He explained the City implemented a \$50 business registration fee and there are approximately 1,000 businesses that are required to have business registration.

Fire Chief Vindigni requested Council's consideration of implementing a fire inspection fee based on the square footage of a building and eliminate the business registration fee. He provided examples of businesses and the fees, including schools and the hospital. The Council discussed the amount of staff time required to perform inspections and if the proposed fees would cover the cost of the inspection and the billing of the inspection as well as higher fees for very large businesses.

Fire Chief Vindigni requested Council consider the hiring of additional personnel (three) for the Life Safety Division which would include: a Fire Marshal, a Deputy Fire Marshal (currently funded by the General Fund), an Administrative Assistant and a Fire and Life Safety Educator. He stated if they can reduce the amount of re-inspections and increase the amount of inspections, they will be able to perform annual inspections. He reviewed the salary information for the additional personnel.

Fire Chief Vindigni presented the following implementation plan:

- Adopt a Fire Inspection Fee Schedule with the FY 2016-2017 budget,
- Eliminate the business registration fee,
- Perform a hiring process and fill both the Fire Marshal and Administrative Assistant positions by November 1, 2016,
- Educate business owners on the newly adopted fee schedule,
- Ensure accurate square footage is recorded in our emergency reporting system,
- Inspection schedule would utilize the calendar system,
 - Billing would begin on January 1, 2017,
- Develop Fire Inspections resources that can be added to our City website and aid in education and prevention efforts, and
- Continually evaluate the program for effectiveness.

Mr. Connet suggested the Council consider this further at their Special Meeting on May 6 when the budget is discussed and fine-tune the fee schedule. The Council agreed by consensus.

4. Adjournment: Being no further business, the meeting adjourned at 7:30 p.m. upon unanimous assent of the Council.

Barbara G. Volk, Mayor

Tammie K. Drake, City Clerk